IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO.2041 OF 2003

IN

FIRST APPEAL NO.229 OF 1998

Shri.Vishnu Anant Harlikar through
power of attorney holder Shri.Narendra
Vishnupant Harlikar. ...Applicant.

vs.

Gadhinglaj Taluka Sahakari Sakhar
Karkhana Ltd. and another. ...Respondents.

Mr.S.B.Deshmukh i/b. A.V.Anturkar, for the Applicant.

Mr.S.S.Patwardhan, Advocate for Respondent no.1.

CORAM: D.K.DESHMUKH,J.

DATED: 1st March, 2007.

P.C.:-

1. By this application, the applicant is seeking modification of the order passed by the Court on 8.8.2000. But in implementation of that order, admittedly, the reference Court has modified the Award. There is no prayer

made in the application for setting aside the modified Award. Without setting aside the modified Award, it will not be possible for the Court to grant any relief to the applicant. Though it was pointed out to the learned Advocate appearing for applicant that in case the Award has been modified pursuant to the Court's order he will have to come to the Court with a prayer for setting aside the modified award, but nothing is done. In this view of the matter, the present application cannot be entertained. The applicant has unnecessarily wasted Court's time and therefore, the applicant is also liable to pay cost. The application is disposed of. The applicant is directed to pay Rs.2000/- as and by way of cost. It is, however, clarified that this order will not come in the way of the applicant making proper application.